

REMARKS

Applicants request favorable reconsideration of the subject application in view of the preceding amendments and the following remarks.

Initially, Applicants note that the Examiner has not yet returned an initialed copy of the PTO Form-1449 submitted with the Information Disclosure Statement filed on January 9, 2003. Applicants request that an initialed copy of such form be returned to Applicants with the next Office action.

Claims 47 and 49-58 are presented for consideration, claims 1-46 and 59-135 having been withdrawn pursuant to a restriction requirement. Of the claims under consideration, claims 47, 57, and 58 are independent.

By this Amendment, claims 4, 11, 20, 33, 43, 47, 50, 52, and 54-58 have been amended, and claim 48 has been cancelled without prejudice or disclaimer. Support for the claim amendments may be found in the application as originally filed. No new matter has been added.

Claim 52 stands objected to for containing a typographical error. That claim has been amended herein to correct the error. Favorable reconsideration and withdrawal of the objection are requested.

Claims 47-53, 57, and 58 stand rejected under 35 U.S.C. § 102 as anticipated by U.S. Patent No. 5,606,628 (Miyabe et al.). In addition, claims 54-56 stand rejected under 35 U.S.C. § 103 as unpatentable over Miyabe et al. in view of U.S. Published Patent Application No. 2003/0007661 (Noguchi). Applicants traverse these rejections.

In one aspect of Applicants' invention, independent claim 47 recites an image processing apparatus featuring discrimination means, generation means, embedding means, and means for repeatedly executing. The discrimination means discriminates characteristics of image information of a first region included in a region of a first dot pattern representing predetermined information. The generation means generates a second dot pattern representing any one of a plurality of types of dot patterns in accordance with a discrimination result of the discrimination means. The embedding means embeds the second dot pattern in the first region. The means for repeatedly executing repeatedly executes discriminating characteristics of image information of a next first region, generating a second dot pattern, and embedding the second dot pattern in the next first region, until the region of the first dot pattern is embedded.

In other aspects of Applicants' invention, independent claims 57 and 58 respectively recite an image processing method and a computer-readable memory. The featured method steps and memory code generally relate to the features of the apparatus featured in claim 47.

Applicants submit that the cited art fails to teach or suggest many features of the claimed invention.

Miyabe et al. relates to an apparatus and method for generating bit-mapped patterns of print characters. Specifically, in a preferred embodiment of that patent, a bit-mapped pattern is embedded in an area enclosed by the outlines of a print character. The bit-mapped pattern can then be read by a reader, for example, to determine the authenticity of a document having the pattern. However, nowhere is Miyabe et al. understood to teach or suggest at least discriminating characteristics of image information of a first region included in a region of a first

dot pattern representing predetermined information, generating any one of a plurality of types of second dot patterns in accordance with the discrimination result, and embedding the second dot pattern in the first region, as recited in independent claims 47, 57, and 58.

Accordingly, Applicants request favorable reconsideration and withdrawal of the Section 102 rejection of independent claims 47, 57, and 58.

Noguchi relates to an image processing apparatus and method therefor, and storage medium, and is understood to be cited merely for teaching features of dependent claims. Without conceding the propriety of the Office Action's characterization of Noguchi or of the Section 103 rejection, Applicants submit that Noguchi fails to remedy the deficiencies of Miyabe et al., discussed above.

For the foregoing reasons, Applicants submit that independent claims 47, 57, and 58 recite features that patentably define Applicants' invention over the cited patent documents. Favorable reconsideration and withdrawal of the outstanding art rejections are requested.

Claims 49-56 depend from claim 47 and are submitted to be allowable by virtue of that dependency, and for reciting other patentable features of Applicants' invention. Favorable and independent consideration of the dependent claims are requested.

Applicants submit that this application is in condition for allowance. Favorable reconsideration and an early Notice of Allowance are requested.

Applicants' undersigned attorney may be reached in our Washington, D.C.
office by telephone at (202) 530-1010. All correspondence should continue to be directed to our
below listed address.

Respectfully submitted,



Michael J. Didas
Attorney for Applicants
Registration No. 55,112

FITZPATRICK, CELLA, HARPER & SCINTO
30 Rockefeller Plaza
New York, New York 10112-3801
Facsimile: (212) 218-2200

MJD:eyw

DC_MAIN 207311v1